
What We Do

Courts settle conflicts when other, less formal, ways of settling disputes don't work. Most of the conflicts that come to District Court are civil in nature. For example, cases where an individual or business sues another (e.g. small claims, damage claims) or domestic cases such as divorce and child custody. Criminal cases make up a lower percentage of the courts' caseload, however, typically take more time to resolve. The majority of criminal cases are misdemeanors--less serious criminal infractions--while the remaining cases are felonies, which are more serious offenses.

The Juvenile Court, which handles cases of young people under the age of 18, is concerned with protecting the public from young offenders who might be dangerous. But the Juvenile Court has an additional mission, which is to prevent Utah children who have contact with the court during their teen years from settling into a law-breaking pattern. Using the Balanced and Restorative Justice principles, the court balances the needs of protecting the community, with helping victims of crime and enhancing the skills of youth involved in the court system. The Juvenile Court operates work restitution community service programs that are aimed at transforming young offenders into contributing members of society. Youth pay more than \$1.2 million in restitution and complete more than 850,000 hours of community service every year.

In addition, courts certify vital events such as adoptions, probate, and name changes.

How We Do It

The Utah State Courts is divided into five levels. The first two levels (Utah Supreme Court and Court of Appeals) are the Appellate Courts. The remaining three levels are trial courts (District, Juvenile, and Justice courts), where generally a judge or jury determines guilt or innocence.

Utah Supreme Court

The Utah Supreme Court is the "court of last resort" in Utah. The court is comprised of five justices who serve ten-year, renewable terms. The justices elect a chief justice by majority vote to serve for four years and an associate chief justice to serve for two years.

The Utah Supreme Court has jurisdiction to answer questions relating to state law certified from Federal Courts. The court has appellate jurisdiction to hear first degree and capital felony convictions from the District Court and civil judgments other than domestic cases. The court also reviews formal administrative proceedings of the Public Service Commission, Tax Commission, School and Institutional Trust Lands Board of Trustees, Board of Oil, Gas, and Mining, and the State Engineer. The Supreme Court also has jurisdiction over judgments of the Court of Appeals by writ of certiorari, proceedings of the Judicial Conduct Commission, and both constitutional and election questions.

The Utah State Courts website at www.utcourts.gov has extensive information about the state court system. For information about the federal court system, call (801) 524-6100. For information about legal services, call the Utah State Bar at (801) 531-9077.



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Utah State Courts

Overview of the Utah Judiciary



The Utah Supreme Court adopts rules of civil and criminal procedure and rules of evidence for use in the state courts and manages the appellate process. The court also governs the practice of law in Utah, including admission to the practice of law, as well as the conduct and discipline of lawyers.

Court of Appeals

The Utah Court of Appeals was created in 1987 and consists of seven judges who serve six-year, renewable terms. A presiding judge is elected by majority vote to serve for a two-year term. The Court of Appeals hears all appeals from Juvenile Court. The Court of Appeals also hears all appeals from District Court that involve domestic relations, including divorce, annulment, property division, child custody, support, visitation, adoption and paternity, and criminal matters of less than a first degree. The Court of Appeals reviews appeals of administrative proceedings by state agencies and hears cases transferred by the Utah Supreme Court.

The Court of Appeals sits and renders judgment in rotating panels of three judges. The court is prohibited by law from sitting en banc—all seven members at once. The Court of Appeals conducts sessions at the Matheson Courthouse in Salt Lake, but also travels several times during the year to various regions of the state. The panels generally hear oral arguments the third and fourth week of each month.

District Courts

District Court is the state trial court of general jurisdiction. Among the types of cases heard by this court are civil cases, domestic relations cases, probate cases, criminal cases, small claims cases, and appeals from Justice Courts.

Juvenile Courts

Utah's Juvenile Court has jurisdiction over juveniles under the age of 18 who have committed an offense. The court also has jurisdiction over ungovernable youth if social services and the schools have failed—despite persistent efforts—to correct the youth's problem. The court protects the community, orders appropriate sanctions for delinquent juveniles, and directs their rehabilitation. The court also handles matters involving a child who is abused, neglected, or dependent.

Small Claims

Small claims cases are an important part of both district and justice court jurisdiction. For claims under \$7,500, individuals pay only a small filing fee and can represent themselves in an informal court procedure. The aim of the small claims process is to facilitate the settlement of matters involving relatively small awards in a speedy and inexpensive manner.

Justice Courts

Justice Courts are locally funded and operated courts, which means they are established by counties and municipalities. Justice Courts have authority to deal with misdemeanor criminal

cases, traffic and parking infractions, and small claims cases.

Judicial Districts

Utah is divided into eight judicial districts. All levels of trial courts are represented in each district, although the number of judges within those districts varies. Appellate level courts do not have any geographical divisions. Justice Court jurisdictions are determined by the boundaries of local government entities such as cities or counties, which also hire the judges.

Utah Judicial Council

The policy-making body of the Utah State Courts is the 14-member Utah Judicial Council. Utah Supreme Court Chief Justice Christine M. Durham serves as chair of the council. The council is comprised of representatives from each court level who are elected by their peers. The council reviews reports from elected boards of judges for each court level, from the Administrative Office of the Courts, and from other components of the court system. The council also gathers information from government agencies and from representatives of the public. Accessing these reports and the judges' experience, the council determines policies that guide the Utah State Courts.

Administrative Office of the Courts

The Administrative Office of the Courts provides centralized administrative services for the court system. These services include accounting,

auditing, education, facilities, information services, and personnel management. The office provides the staff support for the Judicial Council and serves as a liaison between the judicial branch and other branches of state and local government.

Selection of Judges

The Governor selects a nominee from a list of candidates for all courts, except Justice Courts. (Local governments select Justice Court judges.) A Judicial Nominating Commission, which follows nominating procedures set by the legislature and Judicial Council, chooses the candidates. Once the Governor has selected a candidate, the Senate has 60 days to confirm the nominee. If the Senate does not approve the appointment, the process begins again.

Within three years of being appointed, judges stand for a nonpartisan, unopposed retention election. Following this first retention period, Supreme Court justices stand for retention elections every tenth year; other judges serving in courts of record stand every six years; and county Justice Court judges every four years. Municipal Justice Court judges are reappointed for a four-year term by the government body that initially selected them.
